

Regular Session, 2009

HOUSE BILL NO. 276

BY REPRESENTATIVE FANNIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BUILDING CODES: Provides for changes to the state uniform construction code

1 AN ACT

2 To amend and reenact R.S. 40:1730.24(A) and 1730.28(C), relative to the state uniform
3 construction code; to provide for distinctions in fees charged by certain entities; to
4 provide for a definition of "nonprofit entity"; to allow for the adoption of certain
5 provisions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1730.24(A) and 1730.28(C) are hereby amended and reenacted
8 to read as follows:

9 §1730.24. Agreements with other governmental entities for provision of services;
10 private agreements

11 A. Municipalities and parishes may establish agreements with other
12 governmental entities of the state or certified third-party providers to issue permits
13 and enforce the state uniform construction code in order to provide the services
14 required by this Part. In the event of the establishment of such an agreement, the
15 maximum fees applicable to the issuance of permits and the enforcement of the code
16 shall be established by the governing body of the municipality or parish. In the event
17 of the establishment of such an agreement, a nonprofit entity shall not charge more
18 than the maximum fees established by the governing body of the municipality or
19 parish. The council may assist in arranging for municipalities, parishes, or certified
20 third-party providers to provide the services required by this Part to other

1 municipalities or parishes if a written request from the governing body of the
 2 municipality or parish is submitted to the council. For the purposes of this
 3 Subsection, "nonprofit entity" means any person, corporation, or organization that
 4 qualifies as a nonprofit under Section 501(c) of the Internal Revenue Code.

5 * * *

6 §1730.28. Mandatory adoption of certain nationally recognized codes and standards
 7 as the state uniform construction code; adoption by reference

8 * * *

9 C. For purposes of Paragraph (A)(3) of this Section, the 2006 edition of the
 10 International Residential Code is hereby adopted and amended to include Section
 11 R301.2.1.1 of the 2003 edition of the International Residential Code in lieu of
 12 Section R301.2.1.1 of the 2006 edition. The code adopted and amended above in
 13 this Subsection shall remain in effect until the 2009 edition of the International
 14 Residential Code is published, at which time such edition of the code ~~shall~~ may be
 15 adopted by the council as provided in Subparagraph (A)(3)(a) of this Section.
 16 Thereafter, the council shall evaluate and adopt the latest edition of the International
 17 Residential Code as provided in Subparagraph (A)(3)(a) of this Section.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Fannin

HB No. 276

Abstract: Provides for changes to the state uniform construction code.

Present law provides that if an agreement between the governing body of a municipality or parish and a third-party provider is reached for the issuance of permits and the enforcement of the building code, the maximum fees applicable shall be established by the governing body.

Proposed law retains present law but provides that a nonprofit entity shall not charge more than the maximum fees established by the governing body.

Proposed law defines "nonprofit entity".

Present law provides that wind speeds maps established in the 2003 edition of the International Residential Code remain in effect until the 2009 edition of the International

Residential Code is published, at which time such edition of the code shall be adopted by the council.

Proposed law changes present law to allow the council to determine whether or not to adopt the 2009 edition.

(Amends R.S. 40:1730.24(A) and 1730.28(C))